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Smart's lawyers push for release of 'incriminating' tape recording

AG says evidence implicates Smart in murder

By FRANK RICHARDSON
Derry News Staff

Defense attorneys for Pamela Smart are still waiting to hear a tape recording that prosecutors say incriminates their client in planning the May 1 murder of her husband.

Last week, attorneys Mark Sisti and Paul Twomey of Chichester requested access to the tape, which was made public Aug. 13 at Smart's bail hearing by Assistant Attorney General Cynthia White.

On July 13, Smart told her 16-year-old student-helper, Cecelia Pierce, who was wearing a hidden tape recorder, that she should lie to police about her knowledge of Smart's role in the murder, prosecutors contend.

"You're better off just lying to police," Smart urged Cecelia Pierce, according to prosecutors. She also warned Pierce if she didn't lie, her testimony could "send us to the f-----slammer for our entire lives."

Smart, 23, media director for the Hampton school district, is charged with conspiring with three district high school students, including her purported 16-year-old lover, to murder her husband, Gregory. She was indicted last week on charges of accomplice to first-degree murder, conspiring to commit murder and witness tampering. Smart faces the possibility of life in prison without parole.

The request for the tape will be ruled on at a public

hearing in Rockingham County Superior Court in Exeter. A clerk at the court said Monday she would probably not schedule a date for the public hearing until the end of the week.

Meanwhile, Sisti is gearing up to present evidence to the court about why his office should be allowed to hear the tape.

"Right now, we're just waiting for a response," he said Monday. "We're preparing to get moving on this case."

On May 1, Pamela Smart found her husband lying on the foyer of the couple's Derry townhouse, dead from a single gunshot wound to the head.

The three teens were arrested. **TAPE, Page 5**



Derry News Staff
Pamela Smart exits hearing last week in Rockingham County Superior Court after request for bail was denied.



Guidance staff at Winnacunnet High School in Hampton will provide special counseling to students following arrest of teacher and three students in connection with Gregory Smart murder.

School readies for return of students after Smart arrest

By FRANK RICHARDSON
Derry News Staff

The administrative and guidance staff at Hampton's School Administrative Unit 21, where Pamela Wojas Smart worked for almost two years, is trying to format a plan to provide returning stu-

dents with answers to questions about student/faculty relationships.

The staff is trying to accommodate students who will need special counseling after Smart, the district's media coordinator, was arrested Aug. 1 and charged with plotting the murder. **SCHOOL, Page 5**

The Smart murder

Lawyers push for release of tape

■ TAPE

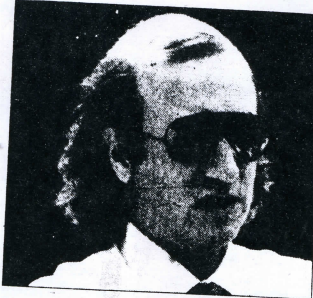
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rested June 11 and have since been held at a state youth detention center in Concord. The state is attempting to have the three tried as adults, but is not releasing any information because of state laws protecting the identities of juveniles.

Pierce's mother, Cecelia Eaton, said her daughter heard Smart and teen "William F." planning her husband's murder. After the murder, she went to police and agreed to wear the hidden tape recorder while talking to Smart.

Smart was arrested Aug. 1, about two weeks after police heard Smart on tape.

While Sisti would not comment whether he knew about the tape previous to the bail hearing, he said they had no intentions of dropping Smart as a client.

"The process is in its very infancy stages," said Sisti, who



Derry News/Cristin Gsler

MARK SISTI ...wants to hear tape

said he is looking forward to the "discovery" process, when he will have access to police reports and testimonies from witnesses.

The tape Twomey and Sisti have requested was a main reason Judge Douglas Gray denied bail for Smart, calling it "incriminating."

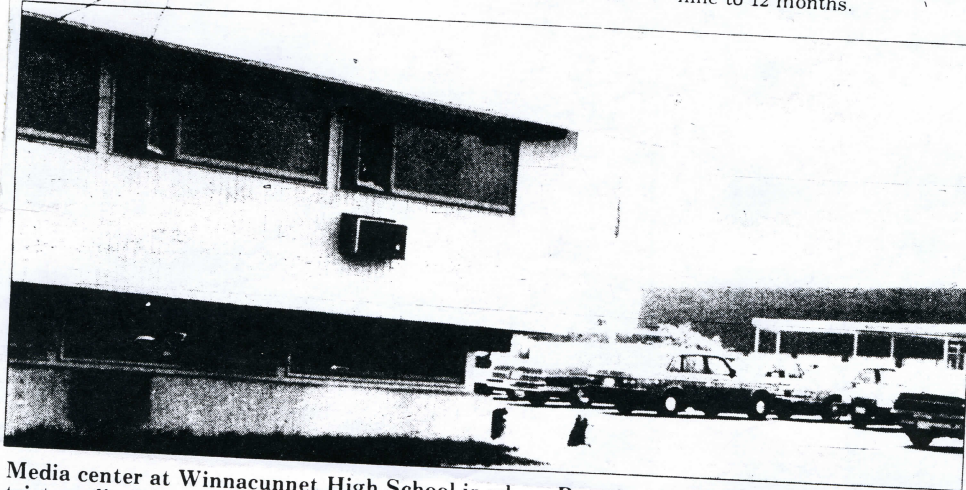
Assistant Attorney General Diane Nicolosi said the murder

investigation is ongoing and her office will continue to evaluate evidence as it is gathered by Derry Police.

If there is proof that Smart paid the three suspects charged with killing Gregory Smart, the state could seek further indictments, including charging Smart with capital murder, which is punishable by death, according to Assistant Attorney General Cynthia White.

Ralph Welch, a Seabrook youth who says the three confessed their crime to him, told the Derry News at least two of the three juveniles were to be paid anywhere from \$500 to \$1,000. He said he did not know if they collected any money from Smart after the murder.

Smart is currently being detained at a high-security wing of the Goffstown state women's facility. According to a clerk at the superior court, a trial will not be scheduled for another nine to 12 months.



Media center at Winnacunnet High School is where Pamela Smart worked as school district media director.

School reacts to Pamela Smart arrest

■ SCHOOL

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ding her husband's execution with three high school students, including her alleged 16-year-old lover, who attended Winnacunnet High School.

District administrators, whose office is located across a parking lot from Winnacunnet, foresee some kind of program will be necessary to address the concerns and questions of students and parents, said School Superintendent Dr. Richard Weiss.

"We are in the process of reviewing lots of things to start up the beginning of the school year," said Weiss. "At this point, I can't tell you what this process will look like."

Weiss, who has manned the job of superintendent for the past six weeks, said he has planned for the forthcoming week a series of meetings with

guidance counselors and administrative workers to try to help students make a smooth transition from the summer events into a productive year.

Weiss has assembled a panel that he said will make every attempt to respond to the community's turmoil.

"Certainly, when there is any issue like this facing the community, we need to look at it and be prepared for any response," he said of reacting to the particular circumstances of this case.

Smart was also personally involved with another sophomore at Winnacunnet High School, who worked part-time in Smart's office as a student-helper. She spent a large amount of time with Cecelia Pierce, her 16-year-old intern, who became the state's key witness against Smart and secretly taped conversations with her for police.

the staff will consider all of its options before instituting a program to help the students. He said his alternatives range from in-house counseling sessions to referral services into the communities, including guidance and psychological services.

Although the plan to help teens readjust has been put off during the summer months to meet the schedule of school vacations, Weiss said he is confident that when the school doors open for students Sept. 4, the staff will have put together an adequate program.

"Once our discussions are finalized, we'll have a plan in line," he said.

Smart has been suspended from her \$22,000-a-year job. Assistant Superintendent Leon Worthley said he hopes Patricia Wiser, Smart's secretary, will be able to handle the job.